

10/532853

Written Opinion of the International Searching Authority

JC20 Rec'd PCT/PTO 27 APR 2005
PCT/DE2004/000154

Appended Sheet

Re Point V.

- 1 In the present Office Action we refer to the following documents:

D1 US 5,529,034 A (NAGANAWA TADAHISA ET AL) June 25, 1996
(1996-06-25)

- 2 Document D1 is considered the most proximate related art. It discloses (the parenthetical references relate to this document): a method for operating a camshaft adjusting device, from which the subject matter of independent Claim 1 differs in that:

an error signal is designed in multiple stages as a function of the system deviation, different weightings being imputed to the individual stages of the fault indication.

- 2.1 The subject matter of Claim 1 is therefore novel (Article 33 (2) PCT)

Consequently, the object to be attained by the present invention may be seen in that,

upon the occurrence of system deviations between the setpoint value for the setting of the camshaft and the input actual value makes possible a discriminating reaction.

- 2.2 This objective is achieved by the distinguishing features indicated above. This solution is neither known nor made obvious from the documents named in the international Search Report. The means for attaining this objective proposed in Claim 1 of the present Application is thus based on inventive activity (Article 33(3) PCT).
- 2.3 The same considerations as above are valid mutatis mutandis for independent Claims 7 and 8. Therefore, the subject matter of independent Claims 7 and 8 are novel Article 33(2) PCT and inventive (Article 33(3) PCT).
- 2.3 Claims 2 through 6 are dependent on Claim 1, and therefore, they also fulfill the requirements of the PCT with regard to novelty and inventive activity.